

REMARKS

I. Status of the claims

Claims 1-9 are pending. Claim 1 has been amended to remove the previously-introduced claim elements relating to the cetane number. The claim has also been amended to recite a process for preparing biodiesel wherein the biodiesel is capable of exhibiting an NOx emission reduction value in the range of 10-55%, when used alone without engine modification. Support for this amendment may be found in the table appearing on page 11 of the specification.

II. Rejection under 35 U.S.C. § 112, first paragraph

The examiner has rejected claims 1-9 under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The examiner alleged that the claim elements relating to the cetane number do not have support in the specification.

Applicants have removed the objected-to claim elements relating to the cetane number in this response. Therefore, Applicants respectfully request that the examiner withdraw this rejection under 35 U.S.C. § 112, first paragraph.

III. Prior Rejection under 35 U.S.C. § 103(a)

In the Office Action dated December 14, 2006, the examiner rejected the claims under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,127,560 to Stidham et al. (“Stidham”) in view of the article entitled, “Triglycerides-based diesel fuels,” by Srivastava et al. (“Srivastava”). Applicants respectfully submit that the claimed invention, as amended in this response, is patentable over Stidham in view of Srivastava.

The claims are directed to a process for preparing biodiesel wherein the biodiesel is capable of exhibiting an NOx emission reduction value in the range of 10-55%, when used alone without engine modification. The biodiesel prepared through the claimed process may be used as a fuel (without mixing any other conventional petroleum fuel) ensuring reduction of NOx value without any engine modification. The NOx values of diesel, biodiesel, and various blends (designated as BS1-BS5) can be seen in the table on page 11 of the specification. When the biodiesel is used alone (without blending), it can be seen that the NOx values are reduced in the range of 10-55%.

Neither Stidham nor Srivastava teach a method of preparing biodiesel where the biodiesel is capable of reducing NOx emissions. In fact, Srivastava teaches away from this concept, stating that NOx emissions from biodiesel will increase slightly if there are no changes in the engine setting. See page 132, third bullet point. In contrast to this teaching of Srivastava, Applicants have discovered a process to prepare biodiesel where the biodiesel *reduces* NOx emissions without engine modification.

Accordingly, the claimed invention is patentable over Stidham in view of Srivastava.

IV. Conclusion

Applicant respectfully requests reconsideration of this application in view of the above amendment and remarks.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 19-2380. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

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Dated: March 10, 2008

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